Supreme Court Reverses Decision Holding Them Liable as Sureties.

CASE IS REMANDED FOR A NEW TRIAL

Similar Decision is Har on the Omaha National Company of the Marian of the Company of the Compan in the

WEAVER ACT IS DECLARED TO BE

Under This Decision the New Insurance thanks for their loyal and patriotic support Pepartment is Knocked Out.

BOARD OF TRANSPORTATION SUSTAINED

Court Holds that the Board Has the Power to Regulate Express Rates-Syllabl and

Opinions.

ber of important state cases.

Sections 36 and 37 of the Wraver insur-ance law, providing for the payment of fees "By your own industry and by a careful office to a commission created by a legisla-tive act. It is held that the taxation sections were the inducement for the passage | General Wood's arrival is looked for toproportion to the value of his or her prop- will meet the vessel, going down the harbor never before been called for. erty. This decision of the court will, of in tugs. General Brooke made a call upon course, kneck out the new insurance de- Captain Sigsbee on board the Texas, receivpartment, and it is not likely that the audi- ing a salute of seventeen guns. tor will allow the salary claims of the in-

surance employes. The decision of the court in the Bartley bondsmen case holds that the governor only approves a bond of a state official and that the same does not become binding until filed with the secretary of state. The failure of an official to file a bond within the time required by law creates a vacancy in

that office. The court sustained the Board of Transof the opinion in the Omaha National bank | 000,000 marks less than in 1898.

such money by the person to whom paid is also conversion.

"Such a warrant is not a state obligation and the person to whom it is payable, being n mere trustee, possesses no salable interest.

Bartley Bondsmen Case.

The syllabus of the decision in the Bartley bondsmen case is as follows: In reviewing a judgment rendered on a instruction, it is the duty of the reviewing court to assume the existence of every ma-terial fact which the evidence of the com-plaining party establishes or tends to prove. An official bond is without validity until no authority as an agent of the state to accept the official bond of state of district officers and by such acceptance make them binding obligations.

of the governor with respect to the official bonds of state and district offi-

Section 15, chapter x, Compiled Statutes of 1889, contemplates that an official bond, after its approval by the proper officers, shall be returned to the person presenting it, and be by him filed in the proper office respondent of the Associated Press

Possession of an official bond by the principal on a day subsequent to that fixed by the statute for its delivery carries with it, prima facie, the right to have it approved

Germany, however, has been restrained ad delivered.

and delivered.

Sureties on an official bond have the right, at any time before the obligation is delivered, to revoke their principal's authority to bond them; but until such revocation the right of the principal to deliver the instrument is presumed to continue.

And, until the sureties have signified an intention to recede, the obligee may bind intention to recede, the obligee may bind them by accepting their offer to answer for the official misconduct of their principal. Several days after the time fixed by the statute for filing an official bond the sureties thereon signed an instrument recting, "that any and all additional names that he (their principal may procure on said bond, and each of us are held liable the same as if said names had not been added." Held: That such instrument affective by having been approved and filed for record.

And held, also, that when the principal presented the bond for approval, accompanied by such instrument, he had appeared and children of the state is authorized to demand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to femand additional sureties of the state is authorized to have his office to with he has been edeted or appointed.

The failure of a state or district officer to have his office to witch he has been elected or appointed.

In such case the state may waive its

such case the state may waive its

with him as the person entitled to the And if the state does waive its right the Organize to Fight the "Regulars" in sureties on the official bond of the officer are ostopped from denying the validity of the bond because it was not approved and State Conventions. the bond because it was not approved and filed within the time fixed by law.

Where two or more persons have converted the property of another the latter may sue them, either jointly or severally, as he may elect. And a court of equity will not require the injured party to pursue one of the wrongdoors rather than another who is equally clipable.

A document presared by an accounting prepared by an accounting his term of office showing

officer during his term of office showing the receipts and disbursements of, and the behance chargeable against a financial officer, is competent evidence against the successor official bond of the latter official bond of the latter official bond of the latter officer if it was used by him in accounting to his successor and furning over the office at the time and in the manner contempated by the law and the contract of the latterest of progressive democracy the interests of progressive democracy.

(Continued on Third Page.)

BARTLEY'S BONDSMEN BROOKE ISSUES PROGLAMATION ENGLISH HINT TO PORTUGAL

Congratulates Cabans Upon Wonderful Progress During Last Year-Gen. Wood Expected Today.

HAVANA, Dec. 19.-General Brooke will sue tomorrow the following proclamation "By direction of the president I hereby transfer to my successor, Major General Leonard Wood, the duties and responsibili ties of the office of military governor, bespeaking for him that support and confidence which you have come to accord me. those who have been associated with

the performance of the difficult task anizing and placing in operation government of the island, I hereby this expression of appreciation and and agsistance.

thoroughly devastated, its resources and something to say in the matter. gathered into towns without food and with- sources in Brussels and Berlin that Presiout shelter and dying of starvation and dent Kruger is willing to conclude peace exposure. The government of the United on the basis of the status quo, but that States immediately supplied work and food, otherwise he will call upon the Boers in

away and now the country is rapidly presa. pendence of the Cape territories of Great ing forward to a prosperity hitherto un. Britain. known in its history. Look about and see how true this is. The various steps that LINCOLN, Dec. 19 .- (Special Telegram.) have led to the present condition are well The supreme court adjourned this after- known to you and need not be mentioned noon and handed down decisions in a num- here. The change is truly marvelous. Without the semblance of civil government The decision of the district court of Doug- then you have now a complete organization, las county holding the suretles of former Your municipal and provincial governments State Treasurer Bartley liable on his offi-cial bond was reversed and remanded. The military control is purely advisory and sult of the state to recover on the \$.00,000 which you live, as well as the interests 35 years of age and of equal physique to the "General White represented that General of \$10,000,000 by another of the same amount

for licenses and levying of taxes by the in- observance of these conditions the full res- gaiters. All must be good riders and marks- treatment he suffered in the first instance." surance commissioners, were declared unconstitutional, leaving the entire act void. The decision, however, does not say that the decision, however, does not say that the future is in your hands, to make or companied to the future is in your hands, to make or companied.

GERMANY SHORT OF BULLION

Has Never Been So Strained as at Present.

BERLIN, Dec. 19 .- The Reichsanzeiger publishes the following statement:

"At the meeting of the central committee portation in the Pacific Express company of the Bank of Germany today Herr Kok, a case, holding that it has the power to reg- director, discussing the question, said the ulate express rates. The express company financial position of the bank had never denied this right on the ground that the before been so strained at the same period board was an unconstitutional organization. of the year and that the stock of bullion

"After giving other figures showing the "Payment by the state treasurer of public difficulties of the situation he said it had money, claiming to be the owner of such been harpossible to avoid an increase in-the gifts. warrant, is conversion and the receiving of bank rate. Dr. von Miquel, Prussian minister of finance, has just submitted to Emperor William a special report regarding Prussia's finances from 1897 to 1899. The report on the whole is favorable, showing a diminution of the Pruselan debt. The 242,000,000 marks to 221,000,000 marks."

interest on the debt has diminished from The state railways have, despite the very heavy traffic, made a less profitable showing, the surplus now being 449,000,000 marks, as against 468,000,000 marks in 1896.

In Count von Buelow's budget speech la week occurred a passage indicating Germany's need of a number of "points it has been delivered. The governor has d'uppui" and coaling stations for the Germany navy. This passage was purposely worded cautiously, the meaning being some what veiled so as to not attract the sus picions of other nations, but there is the the chical bonds of state and district offi-cuts is merely to approve them.

The official bonds of state and district officers (except that of secretary of state) do not become binding obligations until they have been filed in the office of the world where German war vessels in a time

An instrument is not delivered until it has passed beyond the dominion control and authority of the maker and is no longer capable of being recalled.

The approval of an official bond by the governor does not work its acceptance, nor make it a valid contract.

The approval of a valid contract of the proval distribute of the control of all industrial printed.

Sympathy for the Boers.

DENVER, Dec. 19.—By a vote of 9 to 5 securities. is also assured the dementi of the reported The principal in an official bond has an implied agency to deliver the bond as the contract of his surelies. ways suffers largely and with the Nicaragua

from entering into negotiations with Denmark for the purchase of St. Thomas out of consideration for American sentiment which formerly opposed such German ac quisition there. She is now trying to as-

ALTGELD FACTION BEGIN WAR

CHICAGO, Dec. 19 .- The Altgeld faction of Illinois democrats has taken its first step toward fighting the "regulars" in the primaries and county and state conventions of next spring and summer. A temporary organization was effected in a meeting of bout fifty active spirits at the Sherman house tonight. John P. Altgeld's approval

name of the Chicago Platform Democracy, person who has held an office for some Chicago Platform Democracy in every po-underable time is presumably competent litical division and every election district and to "organize auxiliary branches of the litical division and every election district

Supplies and Foreign Volunteers Reaching Transvaal Through Delagoa Bay.

ENGLAND TO HAVE SOMETHING TO SAY

General Buller Credited with Having All Along Demanded Mounted Infantry-Cruiser Isis to Convey Kitchener.

LONDON, Dec. 20.-The Standard hints

ommerce destroyed and its rural population. Statements are published from Boer "In a short time this condition passed Cape Colony to join in proclaiming the inde-

> The government has at last consented to mobilize a forces which General Buller is credited with having demanded all along, namely, 10,000 mounted infantry.

regiment that is linked with a regular bat- his uncle was treated, makes specific statelegislature has no authority to change the insurance supervision from the auditor's office to a commission created by a legislature has no authority to change the to mar, and trusting that wise counsels tallon serving at the front to supply a full ments as to plunder of the wounded and company, which will take the place of the robbing of the dead. Young Koch said: mounted infantry of the regiment.

These arrangements are expected to result of the act. According to the decision the morrow. The division will be represented in a considerable force. The enrolled watches and money, but also others on the law contravenes section 1 of article ix of by Generals Chaffee. Richards and Hum-strength of the yeomanry forces which original the Legisland Boundary of the French battlefield. I saw the remains of Assistant the constitution, which provides that every phrey and the department by Adjutant Gen- insted in the troublous period of the French Commandant Dodenstein Landdrost of person or corporation shall pay a tax in eral Scott and aide-de-camp. These officers revolution is now 19,433. Their services have Kruger's Dorp. He had received a bullet

The lord mayor of London, Alfred Newton, is raising and equipping a force of 1,000 rings had been taken from his fingers and volunteers among the city corps. The large all his money was gone. city firms are contributing the necessary ex-Colonel Sir Charles Howard Vincent, com-

Financial Position of Imperial Bank teers, has offered to raise a regiment of 1,000 icked marksmen. The enthusiasm of volunteer enlistment ontinues and promises to give the government ample material.

> Kipling Addresses Meeting. Rudyard Kipling addressed a meeting at

pose of forming a volunteer company. The queen has announced her intention of entertaining at Windsor castle December 26 ashamed to apply to a Kaffir." The important sections in the syllabus has become seriously diminished, being 57,- in South Africa, who reside in the neighborthe wives and children of coldiers serving hood. Tea will be served, her majesty prob-

> The British second-class cruicer Isis will convey General Kitchener from Egypt to the cape. It is ordered to steam at sixteen knots.

Special reports regarding the fighting at the Tugela river are still filtering through, but all the newspapers complain that these are eeverely censored and it is still impossible to get an accurate idea of the baitle. From the latest accounts, however, it appears that General Buller was in pereonal command

bearers of the Red Cross and that this act he has displayed in putting aside his terdrew the Boer fire, three being killed and rible private grief in order to devote himeveral wounded.

Much anxiety is caused by the fact that the war office has not received a full list

of the casualties at Tugela river. Joseph Kirkland of Chicago, accompanied by his sister, has arrived in London from Johannesburg, whence they had to flee with other refugees, despite their Boer sympathies. Mr. Kirkland was manager of an important business there and was compelled

CHIEVELEY CAMP, Natal, Dec. 15 .- The ceeding days the Boers had allowed them- every democrat but one on the board, selves to be bombarded without condescend-

ing to reply with a single shot. They further took a half hour's bombardment this morning without an exchange, quick firers, field and siege guns, which of barristers and solicitors, have likewise were posted from end to end of their posiin South Africa, especially the fate of the tions. When their presence and actual posttions had been determined the British naval brigade commenced shelling all the ridges north of the town with marvelous accuracy. At this time the artillery attached to General Hart's division was busy among the

cover of which the Irish infantry marched communications have been cut, out in extended form to cross the river and While this was transpiring the field artillery on the right were busy shelling the ridges of the Boers' left flank, their excellent practice attracting the attention of

almost demolishing all the guns and stam-

CANADIANS GOING TO AFRICA. Make Up the Quota. OTTAWA, Ont., Dec. 19.-The Second recruited from former mounted policemen. cowboys and other branches of the militia. The contingent will comprise about 1,000 Movements of Ocean Vessels, Dec. 10 officers and men and will sail from Halifax The name of Lieutenant Colonel Evans, now on his way to Ottawa from the Yukon, is mentioned as likely to go in coramand.

British Government Too Slow.
(Copyright, 1836, by Press Publishing Co.)
LONDON, Dec. 19.—(New York World
Cablegram—Special Telegram.)—The Poat's
military expert says: "The history of the
war up to date is the history of the cabinet from
guences of inactivity of the cabinet from
May to October. The British government in
June, July and August, instead of gettins

At Hamburg — Arrived — Bulgaria, from
New York.

At Pouloane—Sailed—Queen Adelaide,
for Taconia.

At Bouloane—Sailed—Phoenicia. from
New York.

At Southampton — Arrived — Trave, from
New York.

At Glorathar—Sailed—Werra from Genea,
for New York or the directors, should fully cover the liabilities.

The failure to the bank which have appeared in the press. The bank's assertions regarding the bank which have appeared in the press.

HIGHMOND VA.

Schall Hamburg—Arrived—Broonicia from the directors, should fully cover the liabilities.

The failure of the bank and the rise in the first papeared in the press.

The bank's assertions regarding the bank which have appeared in the failure to the directors, should fully cover the liabilities.

Schall Hamburg—Arrived—Broonicia from

to polish its conscience, and even in Septemper could not bring itself to send more than

"In Natal the British and Boer forces are New York Clearing House Banks Keep the now facing each other like two wrestlers, but, taking a general view, there has been no fall. The longer they wrestle the heavier will be the fall in the end, but it is yet !

ENGLISH ROB THE DEAD BOERS

Philip Koch, Nephew of General Koch, Tells of Wholesale Robbery on the Battlefield.

(Copyright, 1839, by Press Publishing Co. LONDON, Dec. 13 .- (New York World editorially this morning that if Portugal Cablegram-Special Telegram.)-W. T. Stead continues to allow supplies of war material in a letter to the Daily News tells the story and foreign volunteers to reach the Trans- of Philip Koch, a nephew of General Koch. "A year ago I found the country most vasi through Delagoa bay England will have in regard to the latter's experience at Elandslangte: "The first of the wounded I happened on

was General Koch. He lay in a small tent, on themselves, entirely naked. He told me that an English soldier had come to him and robbed him Indian troops.

This morning the War office issued ab or- Although General Koch was severely vestment and who bought outright to held. der to the effect that the government had wounded and Major Allthorn had promised Some such revulsion of feeling was natural decided to raise for South Africa a mounted that he should be allowed to return to after the feeling of yesterday. The specuinfantry force to be called "Imperial Yeo- Pretoria, where he would be well nursed, lative situation was by no means confident manry" and to be recruited from yeomanry, General White refused to allow him to leave until after about midway of the session. manry" and to be recruited from yeomanry, volunteers and civilians possessing the requisite qualifications. Enlistment will be officer of his rank and distinction as a pristoning for the extension of credits to buyers a considerable number of applications. The clearing house banks for deposits of public funds night with cavalry under Captain Lockett decision of the court of the same county in supervisory. Many of your laws have been for one year, or during the continuance of securities. The clearing house banks under the secretary's announcement of last supervisory and the continuance of the continuance of the continuance of the continuance of securities. The clearing house banks under the secretary's announcement of last supervisory and the continuance of the continuance

> necessarily uniform, felt hats, breeches and wound he received as in consequence of the poeits in depository banks, gave promise of Philip Koch, according to Mr. Stead, be-The same order invites every volunteer sides his statement as to the way in which

> > "Not alone were General Koch and persons mentioned above robbed of their clothes, in the left breast, which pierced his heart. He had been robbed of his telescope and the

"I also saw the remains of Piet Blignautsen. His boots, watch, money and snuff box were gone. From the body of Willie mandant of the Queen's Westminster volunburg, were taken all the money and ringe from his fingers. From Servans de Wet, who was only wounded in the left leg, a ring and money were taken."

Philip Koch concludes his declaration by saying: "As far as I can see our burghers can Rottingdean last evening called for the pur- expect no Christian and civilized treatment

from the English. So far their treatment of us has been of a nature I should be They Pray for Pence.

Cablegram—Special Telegrams—Two great by the towar quotations sent over from The capital stock was \$50,000. prayer meetings were held at Rotterdam to Youlden, where the Stock exchange had a land. The Transvaal hymn was sung and of his recent disaster. The high prices for 6,000 florins collected. A resolution was Americans in the London market were passed to send a circular to all British pas- doubtless due in part to manipulation orders tors, asking them to preach and pray for cabled from this side, in furtherance of an end to hostilities. Amsterdam and Hague the general plan to sustain and protect the women are offeringe their services for col- market. lecting money and many young men of good

the Transvaal to join the Boers. LONDON, Dec. 19 .- The queen has sent a A correspondent of the Associated Press letter to General Lord Roberte, the newly at Chleveley camp says the Boers excuse appointed commander-in-chief of the British themselves for firing on the stretcher bear- forces in South Africa, warmly sympathizing rs by asserting that two squads of the with him on the death of his gallant son Connaught Rangers took cover under civilian and thanking him for the great patriotism self to the affairs of the nation.

Memorial Service for Soldiers LONDON, Dec. 19 .- A most impressive

DENVER, Dec. 19.—By a vote of 9 to 5 securities. the board of aldermen of Denver adopted a relief column continued its advance from joint resolution expressing sympathy for the discrimination shown today against many Chieveley early this morning, intending to Transvaal republic in its war with Great of the industrials, especially in the placing assail the Boer positions which were known Britain and hope for the success of the of loans. They were not acceptable as colto be very strong, to the westward and Boer arms. The resolution was introduced lateral and money was not easily procured northwest of Colenso. During the two pre- by Alderman Kelly and was supported by for the purpose of supporting them

Volunteers for Cape War. the members of the Honorable Artillery gether in agreement as to the length it was certain whether the American objections when suddenly they belched out a stream of company of London have volunteered for desired to go, some of them holding the intention to recede, the obligee may bind still continue If assured that they do not she fire from all their entrenchments, besides service in South Africa. Two-thirds of the opinion that no real benefit would accree them by accepting their offer to answer for will begin pegotiations.

> tendered their services. War Office Silent About Report. Daily Mail that General Buller has crossed edge of this determination had much to do entrenchments in the hills to the left under the Tugela river and that General Methuen's with allaying the apprehension.

TO HEAD SONS OF VETERANS

Attorney McGuire of Indianapolis Announces Himself as a Candidate for National Commander.

INDIANAPOLIS, Dec. 19.—Newton J. Mc-Guire, an attorney of this city, has announced his candidacy for the office of national commander of the Sons of Veterans. Cowboys, Mounted Police and Militia Mr. McGuire organized the Ben Harrison post, No. 356, in Indianapolis and the Southeastern Indiana Sons of Veteraus' associa-Canadian contingent, which the imperial tion. At the state encampment in Fort government was notified yesterday would be Wayne in 1892 Mr. McGutre was elected dispatched to South Africa at once, will be state commander and was re-elected in 1803. made up of some 300 men from the north- He was made state advocate of the division west mounted police, about an equal number in 1896. Indiana has not had the post of from the permanent corps and the balance national commander since 1889, when Charles T. Griffin of Hammond held the office.

At New York—Arrived—Manitou, from ondon: Kaiser Wilhelm der Grosse, from urst Bismarck. At Bremen - Arrived - Darmstadt, from New York.

the army ready and on the spot, was trying MILLIONS OF MONEY IN SIGHT

Market Rate Down.

WALL STREET FLURRY PASSING AWAY

Professional Traders Take Long Side of Market and Bid Prices 1 p-inerense of Government Deposits Promises Relief.

NEW YORK, Dec. 19,-There was a com- This was not a little due to the impression, lete revolution of sentiment in Wall street today and the latter part of the session of the Stock exchange witnessed something over night to support the market and prelike a panic among the bears, who were vent a recurrence of yesterday's panic, making frantic efforts to secure stocks to | It is hardly thought that the rise in the cover short contracts and bidding prices up German discount rate will cause a corre-The professional traders took the long side of the market, and bid up prices to awaited with nervous apprehension, one of

of all the money that was in his trousers take the market away from the bears. Many the largest operators expressed to a reprepockets, of his watch and of all his cinthes, operators who had ruthlessly sacrificed their sentative of the Associated Press the belief excepting one coat. He also informed me holding in the pandemonium of the day, were that the feeling this morning was stronge: that this person said that he belonged to the eager buyers in the hope of retrieving losses. and unless very bad news came from the Beside these elements there was a large front there were no signs pointing to a "The general was covered by a thin contingent of bargain-hunters, made up of further panic. blanket and lay on a small wet mattress. people with ready money looking for inwarrant paid by that institution to Bartley of good government. Your courts have been ordinary cavalry coldier. Officers and men Koch died ten days after receiving his to be loaned at the market rate. The anreorganized and are in operation. Peace are to provide their own horses and to wear wound, on October 31. His nephew says his nounced determination of the secretary of neutral tint cloth shooting jackets, not death was caused not so much from the treasury to increase government de-

source before the market closed. Heavy Demands for Money.

Under the influence of this abundance tended to secure the government from pos- gent stronghold throughout the war. The resterday's panic rates for money were at sible loss by reason of temporary excess of valley has several times been invaded, but no time approached, but the demand for cash on hand over bonds on deposit. As never held by the Americans. General loans made inroads on the supply with the receipts from internal revenue do not Geronomo was supposed to have there the seemingly insatiable appetite. The loan average quite \$1,000,000 a day, it is not ex- largest organized force north of Manila and rate went to 25, but steadily declined from pected that the effect of the new order will General Otis wished to garrison Mariquina. that point under the offerings of successive be felt for some days to come. It is stated millions until it was forced to 6 per cent that in making allotments of funds the The night was one of the worst of the seaand in the late afternoon fell to 51/2, 5, 3 and department will discourage the purchase of son. A terrific rain had begun and is still at last to 21/2. As soon as the stringency bonds on the part of banks seeking de- continuing. relaxed it became manifest that the pressure posits, for the reason that If the banks of liquidation was released and the market should go into the market for this purfell into a calm,

When the money rate fell to an easy basis which would be against the interests of the orices began to rebound and some sensa- government, which is itself now in the martional recoveries shown, especially in the ket for the purchase of about \$5,000,000, now so large as to invite considerable profit to recent proposition to purchase \$25,000,000. merchants in final dealings, but the undertone continued strong to the close, which showed substantial gains throughout the list, The early hours of the trading witnessed very heavy liquidation in the continuation of yesterday's process of recuperation, but there was no approach to the panic con-

ditions of yesterday at any time. The extensive and elaborate preparations to meet the crisis were evident at the open-(Copyright, 1839, by Press Publishing Co.) ing and prices were opened at large ad- buildings as well as furnishing a patrol for but few casualties on the American side

false rumor of a retrieval by Ge To Take Place at Atlanta, Ga., Today

The opening advance was met by an avafamily of The Hague have decided to go to lanche of liquidating sales, which promptly temorrow afternoon. Immediately upon its drove down prices in spite of the utmost arrival tomorrow morning the body will be efforts to sustain them. Not a few stocks showed evidences of positive weakness and the in state under military guard from 10 staff officers called General Lawton's atthe first two hours of the trading were a. m. until 2 p. m. given up to furious activity and indescribable confusion of sentiment. The steady absorptive power of the buying was bound to have a reassuring effect and the manner of Governor Candler, United States Senator

in which the liquidation was brought to a Bacon and A. S. Clay, Mayor Woodward, standstill was highly impressive.

Failure Does Not Affect Market. Even before noon sufficient stability and The funeral services will be conducted at seen established to face the report of a failure by a brokerage house in Boston, memorial service was held in St. Paul's which would have been sufficient to de cathedral this afternoon in memory of the moralize yesterday's market. With the subsoldiers killed in South Africa. The lord sidence of the panic conditions a saner mayor, Mr. A. J. Newton, and the city of- and quieter view of conditions developed. ficials attended in their robes of office. The | A study of the facts in connection with cathedral was thronged, those present in- the trust company which came to grief yescluding the duke of Cambridge and the mar- terday and of the securities with which it not to be taken as justifying the fear and The casket was wrapped in the American

There was abundance of precaution and in the market. It was reported that the financial powers concert-LONDON, Dec. 19.-Ninety per cent of ing measures of relief were not altoopening a fearful cannonade with all their members of the court volunteers, composed from sustaining some of the industrial securities. But the danger disclosed by yesterday's event on the whole fabric of values carried the day in favor of the relief measures. The decision of the banks was to LONDON, Dec. 19 .- The War office de- place all of their available resources at the lines either to confirm or contradict the re- disposal of borrowers without regard to the ort telegraphed by a correspondent of the effect on the surplus reserve. The knowl-

The clearing house committee was in session during the day, but by the time day. He witnessed the passage of the bill the market closed it had concluded not to yesterday. Asked for an expression he rehold a meeting for tomorow, but further plied:

Yesterday's events attracted large crowds been no doubt of the fate of the bill in the cers were behind cover. A staff officer was to the financial district today. Great crowds. of all sorts and conditions of men and women surrounded the approaches to the Stock exchange. The strain on the brokers and operators was a severe one and the scramble and turmoil on the floor added to the confusion. A comparison of prices with those of Sat-

urday's close show that the level is still materially lower, though very substantial recoveries were made of yesterday's extreme losses. The day's advance ranges from 2 to 12 points in the prominent active stocks.

MORE CONFIDENT TONE IN LONDON.

Financial World Apparently Recovers LONDON, Dec. 19 .- The failure of the London and Northern bank, limited, a comparatively small concern, was announced today. The directors issued a statement at-At Hamburg - Arrived - Bulgaria, from tributing the failure to the alleged libelous

CONDITION OF THE WEATHER GEN. LAWTON KILLED Forecast for Nebraska-

Fair and Warmer; Southerly Winds

market here. The general feeling on the

street was that the conditions were better

gained from private advices, that an ar-

rangement had been reached in New York

While news from the seat of war is

MANY BANKS ARE AFTER DEPOSITS.

Middle West Institutions Would

Avail Themselves of Offer.

Fire Protective Company Assigns.

-Bishop Nelson to Have Charge

of the Services.

The honorary escort, which will accom-

house to the cemetery, will be composed

Lieutenant Caldwell, U. S. N., supreme

court justices and state and city officials.

to the railway today with full naval honors

and sent to Atlanta, Ga., for interment.

flag. The escort was made up of a detach-

ment of marines from the barracks here,

from Admiral Dewey and friends and rela-

tives of the deceased. Six sailors from the

Admiral Dewey, with the Georgia con-

hospital to the railway station. Upon reach-

the Hayward vault at Oakland cemetery.

SAYS ALLEN CANNOT STOP IT

Chairman Hanna of the Monetary

Committee Believes Financial

Bill Will Become a Law.

INDIANAPOLIS, Dec. 19.-Hugh H.

Hanna, chairman of the monetary commit-

we expected. Everything went just as we

of course, by no such vote as the house gave

democrats will vote for it there. The death

of Senator Hayward of Nebraska and the

robs us of one vote. But it will get through,

Buying Horses for England.

racted for already as a direct result English war with the Boers It is nothened the market and is making i

trade here very brisk just when one would expect it to fall down. In fact the demand is so strong that the English buyers are taking every horse suitable for their use that is offered."

RICHMOND, Va. Dec 18 - United contor Thomas Martin was too.

We have promises that some of the

What about the status of the bill?"

wanted it to."

I am sure."

tee, returned from Washington at noon to-

ing Atlanta the remains will be placed in

navy yard served as the pallbearers.

clating.

Hour.

6 p. m..... 7 p. m.....

9 p. m..... 31

Hour. Deg. 5 n. m. . . . 12

n. m. 10

S n. m..... 10 9 n. m..... 11

10 n. m. 19

Temperature at Omaha yesterday: Dies on Firing Line a Victim to Bullet of Deg. 1 p. m..... 30 2 p. m..... 38 Filipino Sharpshooter.

3 p. m. 39 FALLS INTO ARMS OF STAFF OFFICER

> Laughed with Usual Contempt for Bullets When Warned of Danger.

> DIRECTING AN ATTACK ON SAN MATEO

Americans Suffer Few Casualties During the Three Hours' Hard Fighting.

sponding increase of the English bank rate. LAWTON ALWAYS FEARLESS FIGHTER

Column Commanded by the Dead General Has Been the Most Resistless in Pursuit of the Filipinos.

MANILA, Dec. 19 .- Major General Henry W. Lawton has been shot and killed at San Mateo. He was standing in front of his WASHINGTON, Dec. 19 .- The secretary of troops, was shot in the breast and died im-

night. The larger number of these applicaern cities, although some have been received | Colonel Sargent, for the purpose of capturfrom the large cities of the middle west, ing San Mateo, where Geronomo was said to

transferred to national banks on deposit of | General Lawton left home Monday night relief from the start and funds estimated United States bonds to their par value, ex- and had returned from his northern operacept on 3s, on which 95 per cent will be allowed, and 2s, on which 90 per cent will be allowed. This is an old rule and is intions Saturday to lead an expedition through

On a Midnight March.

Accompanied by his staff and Troop I, pose it probably would put up the price, Fourth cavalry, General Lawton set out at 9 o'clock in advance of the main force, consisting of the Eleventh cavalry and one batmercurial specialties. The advances were remaining unoffered under the secretary's talion each of the Twentieth and Twentyseventh infantry, which started from La Loma at midnight. With a small escort be led the way through an almost pathless NEW YORK, Dec. 19.-The Greater New York Fire Protective company, incorporated country, a distance of fifteen miles over hills under the laws of New Jersey, with an office and through canebrake and deep mud, the in this city, today filed an assignment. Hugh horses climbing the rocks and sliding down Bonner, former chief of the New York fire the hills. Before daybreak the command

department, is the president of the company, had reached the head of the valley. San Mateo was attacked at 8 o'clock and a purpose of installing fire alarm systems connected with the city fire department in three-hours' fight ensued. This resulted in ANTWERP, Dec. 13 .- (New York World Wances all through the list. This was helped guarding property during and after fires. apart from the death of General Lawton, but the attack was difficult because of the

natural defenses of the town. General Lawton was walking along the firing line within 300 yards of a small sharpshooters' trench, conspicuous in the big white helmet he always were and a light yellow raincoat. He was also easily dis-ATLANTA, Ga., Dec. 19,-The funeral of tinguishable because of his commanding Flag Lieutenant Brumby will take place stature.

The sharpshooters directed several close escorted to the state capitol, where it will shots, which clipped the grass nearby. His tention to the danger he was in, but he only laughed with his usual contempt for bulpany the funeral cortege from the state lets

Suddenly he exclaimed, "I am shot," clenching his hands in a desperate effort to stand erect, and fell into the arms of a staff

Body Laid on a Stretcher.

St. Philip's cathedral, Bishop Nelson offi-Orderlies rushed across the field for surgeons, who dashed up immediately but DEWEY FOLLOWS BRUMBY'S COFFIN their efforts were useless. The body was taken to a clump of bushes and laid upon Body of the Olympia's Fing Lieutena stretcher, the familiar white helmet cov-WASHINGTON, Dec. 19 .- The remains of ering the face of the dead general. the late Lieutenant Brumby were escorted Almost at this moment the cheers of the

American troops rushing into San Mateo were mingling with the rifle volleys. After the fight six stalwart cavalrymen forded the river to the town, carrying the headed by the Marine band, all under com- litter on their shoulders, the staff preceding mand of Lieutenant Commander McCrea, with the colors and a cavalry escort fol-U. S. N. There were many floral tributes lewing.

The troops filed, bareheaded, through the building where the body was laid and many a tear fell from the eyes of men who had gressional delegation, Mrs. Hayward, sister long followed the intrepid Lawton. The of the deceased, and Mr. and Mrs. A. Du- command was stricken with grief, as though harry, accompanied the cortege from the each man had suffered a personal loss.

Owing to the condition of the country, which is impassable so far as vehicles are concerned, the body could not be brought to Manila today. Mrs. Lawton and the children are living in a government house. San Mateo lies by a high mountain and a broad and shallow stream in front, with

wide sandbars, which the insurgent trenches and the buildings command. The Americans were compelled to ford the river under fire. It was while they were lying in the rice fields and volleying across preparatory to passing the stream that Gen-"Of course I am gratified. There has eral Lawton was shot. All except the offi-

house for some time, but the splendid vote wounded about the same time and one other by which it carried was even better than officer and seven men were wounded. After three hours' shooting the Filipinos were dispersed into the mountains. Colonel

"I think it will pass the senate, though, Lockett took command when General Lawton tell. Otis Confirms Killing of Lawton. WASHINGTON, Dec. 19 .- The War deappointment of Populist Allen in his place partment tonight received the following offi-

cial confirmation of the killing of General Lawton near San Mateo, Luzon: MANILA, Dec. 19.—General Lawton, engaged in driving insurgents from San Mateo section of the country, killed instantly at 9:30 yesterday morning. A great loss to us and his country. OTIS.

General Lawton's death was a great shock to the officers of the War department, to nearly all of whom he was known person-Hitherto his luck in battle had been marvelous. He had been in hundreds of skirmishes and big battles. He was regarded as a man of action and of splendid ourage, but was not considered reckless He never exposed his men without due consideration of the risks and the stake. His men knew this and would unhesitatingly follow his lead into what seemed to be the

most desperate conditions. The Indians came to know him as the most active, vigilant, wary and determined